

Remarks:

In response to the Office action mailed November 16, 2004, Applicant respectfully requests reconsideration, reexamination and allowance of claims 1 and 4-18 in view of the above-noted amendments and the following remarks.

Applicant first acknowledges with thanks Examiner Evanisko's allowance of claims 19-20.

The Examiner has first objected to the drawings in that they include the reference A₂₀ and P in FIG. 5A, which are not included in the specification. Applicant submits with the present Amendment A a replacement drawing sheet that, among other things, deletes the character P and changes character A₂₀ to A_{20in}. Accordingly, Applicant submits that the Examiner's objections have been addressed and requests that this objection be withdrawn.

Next, the Examiner has objected to the drawing in that "rotational axis A" (specification paragraph **0026**) and "object holder H" (specification paragraph **0033**) are not shown in the drawings. Applicant has amended paragraph **0026** to change "rotational axis A" to read --rotational axis A₁₄-- and has added the reference character H in FIG. 5A and submits that these concerns have been addressed and further request that the Examiner withdraw these objections. In addition, Applicant has made minor, typographical changes to paragraphs **0026** and **0040** for grammatical consistency. Applicant submits that these changes, additions and deletions do not add new matter.

Next, the Examiner has objected to claims 12-18 in that the term "head" was inadvertently omitted from claim 12. Applicant has amended claim 12 as noted above and respectfully requests that the Examiner withdraw this objection.

Next, the Examiner has rejected claims 1-2, 6 and 8-9 under 35 U.S.C. §102(e) as anticipated by Catalan, U.S. Patent No. 6,796,241 and has rejected claims 1, 6 and 8-9 under 35 U.S.C. §102(b) as anticipated by Samuels, U.S. Patent No. 4,530,286. The Examiner has characterized Catalan as disclosing a rotary head pad printer having a frame, a head mounted to the frame for rotational movement and at least one pad assembly that reciprocates between an extended position and a retracted position. The Examiner further characterizes the printer of Catalan as

disclosing that the pad assembly is rotatable about an axis between first and second non-parallel positions and cites Figure 5 and the descriptive text.

As to Samuels, the Examiner characterizes this patent similar to that of Catalan as disclosing a rotary head pad printer having a frame, a head mounted to the frame for rotational movement and at least one pad assembly. The Examiner states that the pad assembly reciprocates between an extended position and a retracted position and further that the pad assembly is rotatable about an axis between first and second non-parallel positions. For support, the Examiner cites Figure 1 and the descriptive text.

Last, the Examiner has rejected claim 7 under 35 U.S.C. §103(a) as unpatentable over Catalan stating that although Catalan is silent as to the use of a servomotor, it would have been obvious to one of skill in the art to provide a servomotor drive for rotating the head of the pad printer of Catalan.

Applicant has amended claims 1 and 5 and cancelled claims 2-3 and submits that as amended, the claims pending are allowable over the art of record and in condition for allowance. Applicant has also amended claim 4 to conform the dependency of the claims. As to the disclosures of the Catalan and Samuels, applicant submits that these patents do not disclose the invention as claimed and respectfully submits that the Examiner has characterized these patents in an overly broad manner, but has nevertheless amended the claims as noted in order to bring prosecution of the present application to a close.

Accordingly, Applicant respectfully and earnestly solicits early indication of allowance of the present application.

A check in the amount of \$400.00 is enclosed for the addition of two independent claims. Applicant submits that no additional fees are due in connection with the present AMENDMENT A. If, however, there is an additional fee due, the Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 23-0920.

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Art Unit 2854

Amendment A

Should the Examiner believe that a telephone interview would expedite prosecution and allowance of the present application, or address any outstanding formal issues, he is respectfully requested to contact the undersigned.

Respectfully submitted,

By _____
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